



221 East Hickory Street P.O. Box 3248 Mankato, MN 56002-3248

ANNUAL 47 C.F.R. § 64.2009(e) CPNI Certification
EB Docket 06-36

Toll Free: 800.326.5789

Ph: 507.387.3355

Fax: 507.625.9191

www.hickorytech.com

Nasdaq: HTCO

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Annual 64.2009(e) CPNI Certification for 2007

Date Filed: February 20, 2008

Name of Companies covered by this certification, and Form 499 Filer ID

499 Filed ID

802521

802143

815070

817658

Company:

Mankato Citizens Telephone Company D.B.A. HickoryTech

Mid-Communications, Inc. D.B.A. HickoryTech

Heartland Telecommunications Company of Iowa D.B.A. HickoryTech

Crystal Communications, Inc D.B.A. Hickory Tech.

Name of Signatory: Damon D. Dutz

Title of Signatory: President

I, Damon Dutz, certify that I am an officer of the companies named above, and acting as an agent of the companies, that I have personal knowledge, that the companies have established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the companies are in compliance with the requirements set forth in Section 64.2001 *et seq.* of the Commissions' rules.

The company has not taken any actions against data brokers in the past year.

The Company has not received any customer complaints in the past year concerning the unauthorized release of CPNI.

Signed: _____

No. of Copies rec'd 044
List ABCDE

Attachment

STATEMENT

The operating procedures of Mankato Citizens Telephone Company, Mid-Communications Inc., Heartland Telecommunications Company of Iowa and Crystal Communications Inc., all d/b/a HickoryTech are designed to ensure compliance with the CPNI rules applicable to them. Such procedures are as follows.

CPNI Use

- (1) We use, disclose or permit access to CPNI to protect our rights and property, our Customers, and other carriers from fraudulent, abusive or unlawful use of, or subscription to, our services.
- (2) We use, disclose or permit access to CPNI to provide or market service offerings among the categories of service to which the Customer already subscribes. We provide two different categories of service, local and interexchange, and when a Customer subscribes to more than one service category, we share the Customer's CPNI with the affiliate that provides service to the Customer. If a Customer subscribes to only one service category, we do not share the customer's CPNI with an affiliate without the Customer's consent.
- (3) We use, disclose or permit access to CPNI derived from our provision of local exchange or interexchange service for the provision of CPE and call answering, voice mail or messaging, voice storage and retrieval services, fax store-and-forward, and protocol conversion, without Customer consent.
- (4) Without Customer consent, we do not use, disclose or permit access to CPNI to provide or market service offerings within a category of service to which the Customer does not already subscribe, except that we use, disclose or permit access to CPNI to: (a) provide inside wiring installation, maintenance and repair services; and (b) market, when we provide local service, services formerly known as adjunct-to-basic services such as, but not limited to, speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller ID, call forwarding, and certain Centrex features.
- (5) We do not use, disclose or permit access to CPNI to identify or track Customers that call competing service providers. For example, as a local exchange carrier, we do not use local service CPNI to track Customers that call local service competitors.

CPNI Approvals

- (1) When Customer consent is required to use, disclose or permit access to Customer CPNI, we obtain consent through written, oral or electronic methods. If we rely on oral consent, we understand we bear the burden of demonstrating that such consent was given in compliance with the CPNI rules. We honor a Customer's approval or disapproval until the Customer revokes or limits such approval or disapproval. We maintain all records of Customer consents for at least one year.
- (2) Subject to "opt-out" consent requirements, we use a Customer's individually identifiable CPNI to market communications-related services to that Customer, and we disclose that CPNI to our affiliates that provide communications-related services. We also allow these to obtain access to such CPNI to market communications-related services.
- (3) If we disclose or allow access to Customers' CPNI to our joint venturers or independent contractors, in order to safeguard that information, we will require their entry into confidentiality agreements that: (a) require the customer's opt-in consent of their use of the CPNI for the purpose of marketing or providing the communications-related services for which the CPNI has been provided; (b) disallow their permitting any other party to use, allow access to, or disclose the CPNI to any other party, unless they are required to make disclosure under force of law; and (c) require that they have in place appropriate protections to ensure the ongoing confidentiality of the CPNI.

CPNI Notice Requirements

- (1) We individually notify and inform each Customer of his or her right to restrict the use or disclosure of, and access to, CPNI along with a solicitation of consent, and we maintain records of that notification, whether oral or written, for at least one year.
- (2) Our notifications provide information sufficient to enable our Customers to make informed decisions as to whether to permit the use or disclosure of, or access to, their CPNI. Our notifications: (a) contain a statement that the Customer has a right, and we have a duty, under federal law, to protect the confidentiality of CPNI; (b) specify the types of information that constitute CPNI and the specific entities that will receive CPNI, describe the purposes for which the CPNI will be used, and inform the Customer of his or her right to disapprove those uses and deny or withdraw access to CPNI use at any time. With regard to the latter, we indicate that any approval, or disapproval, will remain in effect until the Customer affirmatively revokes or limits such approval or denial.
- (3) We advise the Customer of the precise steps the Customer must take in order to grant or deny access to CPNI, and we clearly state that a denial of approval will not affect the provision of any services to which the Customer subscribes. However, we may provide a brief statement, in clear and neutral language, that describes the consequences directly resulting from the lack of access to CPNI. In addition, we may state that the Customer's consent to use his or her CPNI may enhance our ability to offer products and services tailored to meet the Customer's needs and that we will disclose the Customer's CPNI to any person upon the affirmative written request of the Customer.
- (4) Our notifications are comprehensible, not misleading, legible, sufficiently in large type, and placed in an area readily apparent to the Customer. Plus, if any portion of a notification is in another language, all portions of the notification will be in that language.
- (5) We do not include in the notification any statement that attempts to encourage a Customer to freeze third-party access to CPNI.
- (6) For "opt-out" approvals, our notifications satisfy (1) – (5). We do not use oral notifications except to obtain limited, one-time use of CPNI for inbound and outbound customer telephone contacts for the duration of the call. When we use oral notice in this manner, we comply with (1) – (5), except that, if none of the following situations are relevant to the limited use for which we seek CPNI, we will not: (a) advise Customers, if they have opted out previously, that no action is needed to maintain the "opt-out" election; (b) advise Customers that we may share CPNI with our named or unnamed affiliates or third parties if the limited CPNI usage does not result in use by, or disclosure to, an affiliate or third party; (c) disclose the means by which a Customer can deny or withdraw future access to CPNI, so long as we explain that the scope of the approval is limited to one-time use; and (d) disclose the precise steps a Customer must take to grant or deny access to CPNI, so long as we clearly communicate that the Customer can deny access to his or her CPNI for the call.
- (7) In addition, for "opt-out" approvals, we wait at least 30 days after giving Customers notice and an opportunity to opt-out before assuming Customer consent to use, disclose, or permit access to CPNI and notify Customers of the applicable waiting period for a response before approval is assumed. For electronic notifications, we recognize that the waiting period begins to run on the date the notification is sent and, for mail notifications, it begins to run on the third day following the date the notification was mailed. For e-mail opt-out notices, in addition to other requirements, we: (a) obtain express, verifiable, prior approval to send notices by e-mail regarding their service in general or their CPNI, in particular; (b) allow Customers to reply directly to e-mails in order to opt-out; (c) use another means of communicating the notice if the e-mail is returned as undeliverable before considering the Customer to have received notice; and (d) ensure that the subject line in the e-mail clearly and accurately identifies the subject matter of the e-mail.
- (8) In addition, for "opt-out" approvals, we provide notices to our customers every two years, and we make available to every customer a method to opt-out that is of no additional cost to the Customer

and is available 24 hours a day, seven days a week. We may satisfy this requirement through a combination of methods, but we allow Customers to opt-out at no cost and whenever they choose.

- (9) For "opt-in" approvals, we provide notification to Customers through oral, written or electronic methods that satisfy the requirements of (1) – (5).

CPNI Safeguards

- (1) We have implemented a system by which the status of a Customer's CPNI approval can be clearly established prior to the use of the CPNI.
- (2) We have trained our personnel as to when they are, and are not, authorized to use CPNI, and we have an express disciplinary process in place to deal with employee failures.
- (3) We maintain a record of our own and our affiliates' sales and marketing campaigns that use Customers' CPNI. The record includes a description of each campaign, the specific CPNI that was used in the campaign, and what products and services were offered as part of the campaign. We retain these records for at least one year.
- (4) We have established a supervisory review process regarding compliance with the CPNI rules for outbound marketing situations and we maintain compliance records for at least one year. Specifically, our sales personnel obtain supervisory approval of any proposed outbound marketing request for customer approval of the use of CPNI.
- (5) We are prepared to provide written notice within five business days to the FCC of any instance where the opt-out mechanisms do not work properly to such a degree that consumers' inability to opt-out is more than an anomaly. That notice would be in the form of a letter and would include the Company's name, a description of the opt-out mechanism(s) used, the problem(s) experienced, the remedy proposed and when it would be/was implemented, whether relevant state commission(s) were notified and what action was taken, a copy of any notice provided to customers, and contact information. We would submit the notice even if other methods by which consumers may opt-out were offered.
- (6) Effective December 8, 2007, all in-bound customer calls requesting call detail information will be authenticated via an account password. If the customer does not have a password on their account, we will either call the customer back at the telephone number of record or mail the requested information to the address of record. The only exception is our contracted business customer who has a designated business representative for account questions.
- (7) Effective December 8, 2007, if the customer comes into the office to request call detail information and doesn't have a password on the account, we will request to view a government issued photo ID to authenticate the customer. After authenticating the customer via the government issued photo ID, the customer will be asked to establish a password, along with back-up security questions on the account.
- (8) Effective December 8, 2007, if a customer's on-line account, password, password authentication procedures or address of record is changed, we will notify the customer within 24 hours, advising them of a change.
- (9) We have a corporate officer who acts as agent for the Company and signs a compliance certificate on an annual basis stating that the officer has personal knowledge that the Company has established operating procedures adequate to ensure compliance with applicable CPNI rules. We provide a Statement accompanying the Certificate that explains our operating procedures and demonstrates compliance with the CPNI rules. Effective December 8, 2007, the compliance certificate will be filed annually with the Federal Communication Commission by March 1.